

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,
Plaintiff,
v.
I.B.T. INTERNATIONAL
BROTHERHOOD, *et al.*
Defendants.

Case No. 2:21-cv-01366-JDP (PC)

ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE AND FAILURE
TO COMPLY WITH COURT ORDERS

RESPONSE DUE WITHIN TWENTY-ONE
DAYS

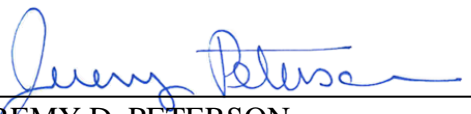
On August 4, 2021, I ordered plaintiff to submit, within thirty days, either the \$402 filing fee or an application for leave to proceed *in forma pauperis*. ECF No. 3. To date, plaintiff has neither paid the required filing fee nor submitted an application to proceed *in forma pauperis*.

To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 Plaintiff will be given a chance to explain why the court should not dismiss the case for
2 his failure to either pay the filing fee or submit an application for leave to proceed *in forma*
3 *pauperis*. Plaintiff's failure to respond to this order will constitute another failure to comply with
4 a court order and will result in a recommendation that this action be dismissed. Accordingly,
5 plaintiff is ordered to show cause within twenty-one days why this case should not be dismissed
6 for failure to prosecute and failure to comply with court orders. Should plaintiff wish to continue
7 with this action, he shall, within twenty-one days, either pay the \$402 filing fee or submit a
8 complete application for leave to proceed *in forma pauperis*. The Clerk of Court is directed to
9 send to plaintiff the court's form application for leave to proceed *in forma pauperis*.

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11 IT IS SO ORDERED.

12 Dated: November 5, 2021

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14 JEREMY D. PETERSON
15 UNITED STATES MAGISTRATE JUDGE
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